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1 Q. If someone assumes a risk it's a
2 subjective standard as to whether that person had
3 knowledge of it and assumed the risk, correct?

4 A. I -- I think I understand your point,
5 and we can assess the -- the -- the available
6 information that is within a context like that
7 and -- and set expectations of what we would --
8 what someone in a situation would understand.

9 Q. Okay. I -- I didn't really follow
10 that, but let me ask my question again.

11 If someone -- you're saying
12 someone's assuming a risk, the risk they assume,
13 that's subjective to them as to what they perceive
14 and what they understand, correct?

15 A. Wait. I'm -- I'm -- I'm sorry, can
16 you -- can you start that over? I --

17 Q. Sure.

18 A. -- because I didn't use the -- the --
19 I didn't state that anyone assumed a -- a risk
20 here.

21 Q. Well, you stated the words open and
22 obvious, correct?

23 A. I stated that the -- that the --
24 the -- the existence of this hazard was open and

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Exhibit 8